

their tax base. While federal agencies, such as the United States Department of Agriculture's Office of Rural Development and the Economic Development Administration, provide assistance for rural development purposes, there are no federal programs that provide a steady source of funding for rural areas most affected by severe out-migration and low per-capita income. For these areas, the process of economic development is often most arduous. This legislation will provide the basic, long-term assistance necessary to aid the coordination efforts of local community leaders as they begin economic recovery efforts and struggle to provide basic public services.

County and tribal governments will be able to use this federal funding to improve their industrial parks, purchase land for development, build affordable housing and create economic recovery strategies according to their needs. All of these important steps will help rural communities address their economic problems and plan for long-term growth and development.

Mr. President, I believe this legislation holds great potential for revitalizing many of our nation's most neglected and vulnerable areas. I urge my colleagues to support its enactment.

#### COMMEMORATING SENATOR DANIEL INOUE: RECIPIENT OF THE CONGRESSIONAL MEDAL OF HONOR

Mr. DOMENICI. Mr. President, I rise today to join my fellow Senators in honoring Senator DANIEL INOUE with the Congressional Medal of Honor. This man is a representative of our nation who has persevered through war, debate, and many had fought campaigns. I have had the pleasure of working with Senator INOUE and applaud my colleagues for bestowing this great honor upon him.

Senator DANIEL INOUE is a Veteran of World War II and was a captain in the Army with a Distinguished Service Cross (the second highest award for military valor), a Bronze Star, a Purple Heart with cluster, and several other medals and citations. Serving in the Senate almost 40 years, Senator INOUE is also the first Congressman from the state of Hawaii. His courage in combat is a testament to the Senator's true commitment to his country and to freedom. Serving on the Defense Appropriations Committee, I know how much Senator INOUE cares about the protection of our country and his professionalism and dedication to finding a balance for defensive spending. His diligence and dedication speak for themselves and I am proud to serve our Armed Forces with a man of this caliber near the helm.

I have also had the pleasure of working with Senator INOUE on the Indian Affairs Committee for over 20 years and know first hand that his bravery did not cease on the battlefield, but

still continues today. When he was chairman of the Senate Committee on Indian Affairs, Senator INOUE was highly regarded among tribal leaders for his efforts to re-establish their sovereignty over their own people and their own affairs. Tribal leaders consider Senator INOUE to be a true leader and friend to the Indian people to this day. I thank Senator INOUE for his leadership and dedication to service to our country, and I thank him for his friendship and example.

Mr. President, inscribed on the medal is the word "Valor." Senator INOUE is one of the most valiant men I know. I praise the Members of Congress for honoring him and hope that our young people may see that it takes courage, bravery, and valor to enjoy the freedom which so many men like Senator INOUE fought to protect. Thank you, once again, to Senator INOUE for your example, and thank you to all of the veterans who have served to protect liberty and justice.

#### VICTIMS OF GUN VIOLENCE

Mr. MOYNIHAN. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

June 29, 1999: Rokisha Denard, 18, Trenton, NJ; Herman Eastorly, 79, St. Louis, MO; Scott M. Echoles, 27, Chicago, IL; William Hunter, 33, Nashville, TN; Elton James, 28, New Orleans, LA; Craig Jones, 28, New Orleans, LA; Bernard Lathan, San Francisco, CA; Jackie Lee Nabor, 39, Detroit, MI; Billy J. Phillips, 43, Chicago, IL; Richard Rogers, 16, Fort Wayne, IN; Sidney Wilson, 14, Fort Wayne, IN; Tonya Tyler, 24, Nashville, TN; Unidentified male, 16, Chicago, IL.

#### POSITION ON VOTES

Mr. JOHNSON. Mr. President, I was absent from the Senate last Thursday afternoon to attend the high school graduation of my daughter, Kelsey. I missed two different votes, and I would like to state for the RECORD, how I would have voted in each instance.

I would have voted "yes" on rollcall vote number 141, the third reading of the Foreign Operations, Export Financing, and Related Programs Appropriations Act for the fiscal year 2001.

I would have voted "yes" on rollcall vote number 142, the motion to instruct the Sergeant at Arms during the consideration of HR 4577, the Labor-

HHS-Education Appropriations Act for fiscal year 2001.

I also was unavoidably detained due to a family commitment on the evening of June 27, and I missed one vote during that time. I would have voted "yes" on rollcall vote number 149, Senate amendment number 3610, a McCain amendment as amended to HR 4577, the Labor-HHS-Education Appropriations Act for fiscal year 2001.

#### SEPARATING THE FACTS FROM THE PARTISAN RHETORIC

Mr. LEAHY. Mr. President, this statement is part of my continuing effort to bring clarity to the facts underlying the oversight investigations on campaign finance being pursued by Senator SPECTER within the Subcommittee on Administrative Oversight and the Courts. Staying focused on the facts becomes even more important as the volume of the political rhetoric continues to increase.

Although oversight is an important function, there are obvious dangers of conducting oversight of pending matters. Applying, or seeming to apply, political pressure to pending matters has real consequences, which we are now seeing first-hand. Recently, the Judiciary Committee received requests for information from the defense attorney for Wen Ho Lee, a criminal defendant facing charges of improperly downloading classified information from computers at Los Alamos Nuclear Laboratory. Mr. Lee's defense attorney wants the Republican report on this matter, as well as other documents gathered during oversight, presumably to aid his defense or at least to get potential impeachment materials for prospective government witnesses.

Just today we learned that the Committee has now also been dragged into the pending case of Maria Hsia, a criminal defendant who was recently convicted of campaign finance violations and is awaiting sentencing. Ms. Hsia's attorney apparently found the questioning of the Justice Department prosecutor in charge of her case at last week's hearing so offensive that it is now the basis for a claim that Ms. Hsia's sentencing should be delayed because to set a sentencing date now would only serve political purposes.

Indeed, at a hearing of the Specter investigation on June 21, 2000, a Republican member of the Judiciary Committee queried Robert Conrad, the current head of the Justice Department Campaign Financing Task Force about the Hsia sentencing, despite Conrad's statements that he could not properly discuss pending matters. The Republican member stated that he expected Conrad to pursue Hsia's sentencing vigorously, and asked whether the government had filed a sentencing memorandum. After Conrad explained that the sentencing submissions had not yet been made, the Republican member stated: "I would expect that you would pursue vigorously the sentencing phase

of that case and that you personally would oversee it . . . I have seen some cases previously involving these very matters in which I believe the Department of Justice was not sufficiently aggressive toward sentencing." He then expounded his view that the "only way" a person convicted at trial could get a downward departure at sentencing is to cooperate fully and stated "I would expect that you would treat this like any other case, that unless the defendant was prepared to testify fully and completely and provide information that you can verify, that you would not accept a recommendation of any downward departure." These comments clearly conveyed the Republican member's view that Maria Hsia should be treated harshly at sentencing.

The Specter investigation has broken long-standing precedent and routinely demanded documents and testimony involving ongoing criminal matters. I have warned repeatedly that such interference risks that prosecutions may be compromised, more work will be generated for prosecutors, and political agendas will appear to take precedence over effective and fair law enforcement. Nevertheless, at Senator SPECTER's request, the majority on the Judiciary Committee has approved subpoenas in a number of ongoing criminal cases, including Wen Ho Lee, Peter Lee, who remains on probation and under court supervision, multiple campaign finance cases and investigations, and the Loral/Hughes matter.

With respect to the Loral/Hughes matter, the Judiciary Committee approved issuance of a subpoena on May 11, 2000, to the Justice Department for "any and all" Loral and Hughes documents, over the objection of Wilma Lewis, the United States Attorney in D.C., which is conducting the investigation. Ms. Lewis explained that the United States Attorney's Office has "an open active investigation" into allegations of the unlicensed export of defense services and that thousands of documents in the possession of her office could be responsive to the pending requests from this Committee. Ms. Lewis explained that her office is at an "important point" in the investigation and will be making "critical prosecutorial decisions and recommendations" in the near future. She noted that if this Committee were to subpoena responsive documents from her office, not only would we adversely affect the investigation from a litigation standpoint, we also would be diverting the attention of the key prosecutors in that case. Instead of working diligently to conclude their investigation, these prosecutors would now be required to sift through thousands of documents and to redact those documents to protect grand jury material. The majority on the Senate Judiciary Committee refused to honor the U.S. Attorney's request and approved the subpoena.

The subject of the Vice President's attendance at coffees was the focus of inquiry at the Judiciary Committee's

recent hearing with the Attorney General this week. In summary, the Vice President indicated in response to general questions during an interview with Justice Department prosecutors on April 18, 2000, that he had no concrete recollection of attending the coffees though may have attended one briefly. He fully acknowledged the fact that coffees took place and explained his understanding of their purpose.

Two days after the interview, on April 20th, the Vice President's attorney, James Neal, sent a letter to Conrad clarifying the Vice President's recollection since he had not been advised before the interview that this subject matter would come up. Neal explained that the Vice President "understood your questions about Coffees to concern the Coffees hosted by the President in the White House." Based upon a record review, the Vice President "was designated to attend four White House Coffees. The Vice President hosted approximately twenty-one Coffees in the Old Executive Office Building. He did not understand your questions to include the OEOB Coffees." Indeed, Conrad refers repeatedly in his questions on this subject to "White House coffees" or "White House hosted . . . coffees".

There is absolutely nothing unusual about witnesses in depositions or even in testimony at Congressional hearings supplementing or clarifying the record after the completion of their testimony. In fact, this common practice is embodied in Rule 30 of the Federal Rules of Civil Procedure, which grants deponent thirty days after the transcript is available to review the transcript and recite any changes in the testimony given. The same rules apply to depositions taken in criminal matters, under Rule 15(d) of the Federal Rules of Criminal Procedure.

At the June 27th Judiciary Committee hearing, one Republican member asserted that "there is a question of the coffees," without identifying the question. To the extent this implies that there is something wrong with clarifying a record with a letter shortly after providing testimony, this can be summed up as just more partisan haze.

#### GUN TRAFFICKING REPORT

Mr. LEVIN. Mr. President, last week the Bureau of Alcohol, Tobacco and Firearms (ATF) released a new report about the illegal firearms market. The ATF's report documents 1,530 criminal investigations involving firearms traffickers for the time period between July 1996 and December 1998. These trafficking investigations led to the recovery of more than 84,000 illegal firearms and the prosecution of more than 1,700 defendants.

The ATF report provides significant insight in to the gun trafficking trade. The investigation reveals that too many loopholes in our national framework for firearms distribution permits

traffickers to divert legal guns to the illegal marketplace. The vulnerabilities in our law, identified by the ATF, are a result of corrupt federal firearms licensees, who were associated with only 10 percent of the investigations in the report but accounted for nearly half of the firearms involved, a staggering 40,000 guns; gun shows, which supplied channels for 26,000 guns, the second highest number of illegally trafficked firearms in the investigation; straw purchasers, who bought and transferred firearms to unlicensed sellers or prohibited users; unlicensed sellers, who were not required to conduct Brady background checks or maintain records of their sales; and firearms theft.

Mr. President, we can no longer afford to ignore the deficiencies in our federal firearm laws. Gun trafficking gives criminal users and young people access to tens of thousands of illegal guns. If Congress wants to reduce firearm trafficking, then first and foremost, we must close the gun show loophole. Secretary Lawrence Summers, who oversees the ATF explained "This report . . . shows that we must do more to close every trafficking channel, starting with closing the gun show loophole . . ." Furthermore, we must increase criminal penalties for traffickers and crack down on corrupt federal firearms licensees, straw purchasers, and unlicensed sellers. I urge Congress to pay attention to this report and pass sensible gun measures that will end the deadly flow of firearms to the illegal marketplace.

I request an article be printed in the RECORD entitled "The Biography of a Gun," which explains how a single gun makes the transition from legal to illegal commerce.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 9, 2000]

THE NATION—THE BIOGRAPHY OF A GUN

(By Jayson Blair and Sarah Weissman)

In America, more than 200,000 guns are traced by law enforcement each year. This is the story of one of those weapons—named after its serial number—No. 997126, a 12-shot, 9 millimeter Jennings semi-automatic.

The gun, made mostly of plastic, was manufactured in 1995, at a factory near John Wayne International Airport in Costa Mesa, Calif. It is now wrapped in plastic, locked in a police property clerk's office near the New York State Supreme Court building in downtown Brooklyn. In between, the gun is believed to have been used in at least 13 crimes—including the murder of 2 people and the wounding of at least 3 others in the Brownsville section of Brooklyn.

The dead were a 16-year-old boy who was sitting on top of a mailbox and a 48-year-old shopkeeper who was the father of 4 children. The injured were a man who got in the way during a robbery, a Jehovah's Witness from Chicago who had moved to Brooklyn to do volunteer work, and a rookie New York City police officer.

In New York, about 6 in 10 murder victims are killed with firearms.

No. 997126 is 6 inches long and weighs 16 ounces. It was made at the Bryco Arms plant, where more than 200,000 inexpensive handguns are manufactured each year.